



**MEETING SUMMARY**

**HANFORD ADVISORY BOARD  
PUBLIC INVOLVEMENT & COMMUNICATIONS (PIC) COMMITTEE**

*December 8, 2020*

*Virtual Meeting via GoToMeeting and Teleconference*

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<i>This is only a summary of issues and actions discussed at this meeting. It may not represent the fullness of represented ideas or opinions, and it should not be used as a substitute for actual public involvement or public comment on any particular topic unless specifically identified as such.</i>
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## **Opening**

Jeff Burright, Oregon Department of Energy and PIC Chair, opened the meeting and welcomed committee members and others attending the meeting. Because this was a virtual meeting held through GoToMeeting and teleconference, all participants were asked to type their name and affiliation into the chat box in lieu of the traditional hard copy sign-in sheet used at in-person committee meetings.

As an introduction and help for new HAB members to get a sense of the people involved with this committee, Jeff invited all participants at the meeting to share their history with Hanford and the answer to the question: ***What do you think the role of the public in Hanford cleanup should be?***

The Committee adopted the October 6, 2020 PIC meeting summary.

## **Tri-Party Agreement (TPA) Public Involvement Calendar**

Dana Cowley, Mission Support Alliance (MSA) contract support to the US Department of Energy (DOE), reviewed the items on the TPA public involvement calendar. The first item was the DOE 60-day comment period for the Liquid Effluent Retention Facility (LERF) and the Effluent Treatment Facility (ETF) which runs from December 15, 2020 to February 13, 2021. This project begins with a DOE comment period which will be followed up by a Washington State Department of Ecology (Ecology) public comment period. The two projects are related.

Committee members asked about the ability to bring the LERF and ETF issue to the HAB for potential advice. The group flagged it as a possible topic for the Tank Waste Committee (TWC). Gary Younger, DOE, agreed to see if DOE could provide information to the TWC. Ruth Nicholson, HAB facilitator, agreed to let the TWC committee chair know of this potential topic as identified by PIC at this meeting.

Dana reviewed the other two items on the calendar, including

- Ecology 45-Day Comment Period for a Waste Treatment Plan (WTP) Permit Modification for Chapter 11 of the Closure Plan to run in February-March 2021, and
- Ecology 45-Day Comment Period on the tie-in from the combined 242-A Evaporator and WTP process condensate line to LERF to run in February-April 2021.

The Committee discussed observations and concerns about the recent addition of the Central Plateau Cleanup Principles to the TPA which was done without a public involvement opportunity in recent weeks and months. The proposal was made for the PIC to develop advice on having meaningful public involvement on guiding documents like five and ten-year strategic plans for cleanup and the Central Plateau Cleanup Principles. Committee members agreed to discuss this more during the Open Forum at this meeting.

## **Debrief and Reflection on Recent Public Involvement Events**

Susan Leckband, League of Women Voters and HAB chair, opened the conversation with a reflection about her time as HAB chair. She explained that she believes the HAB chair is a guardian of the processes that have served the HAB for more than 25 years and have produced over 300 pieces of consensus advice. She quoted John Wagoner, the DOE Site Manager, who opened the first HAB meeting in 1994 saying

“...that contractors’ technical experts will be here to interact with you during your deliberations. DOE is committed to seeking your advice. We may not always be able to implement it but we can't report back to you in writing the reasons why. Additionally, DOE cannot and will not control this Board - you are independent of DOE and its Hanford regulators. That is the only arrangement the people of this region will find credible.”

Susan noted that she has always been amazed at the level of interest in Hanford cleanup.

Jeff Burrigh reflected on the November 19 public meeting on Draft Waste Incidental to Reprocessing Evaluation for Vitrified Low-Activity Waste Disposed of Onsite at the Hanford Site, Washington hosted by the Nuclear Regulatory Commission and DOE. He noted that aspects of the meeting were good, and he appreciated that there was a lot of time given to ask questions and receive answers.

Liz Mattson, Hanford Challenge and PIC vice chair, asked if the surveys shown on screen can be converted to an online form for easier use and sharing of results. Coleen Drinkard, MSA, agreed to look into what other options exist for surveys.

### **Public Involvement in the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA) and Hanford Cleanup**

Emy Laija, USA Environmental Protection Agency (EPA), provided the committee with a shortened version of the EPA course on community involvement at federal facilities. She noted that it takes a village to make sure community involvement is done.

She began explaining the concept of a federal Lead Agency that provides On-Scene Coordinators (OSCs) and Remedial Project Managers (RPMs) for specific sites. The Lead Agency is also responsible for community involvement activities. Interagency Agreements, commonly known as Federal Facilities Agreements outline specific community involvement activities.

For Federal Facility Sites that are listed on the National Priorities List (NPL), EPA has the responsibility of ensuring that all applicable federal rules and regulations governing community involvement are being implemented.

Emy discussed the spectrum of community involvement that runs from basic outreach and information exchange through groups providing recommendations and collaborative agreements. Advisory boards such as the HAB fall into the Recommendations category in which groups offer advice and comments that can be considered by federal agencies when making decisions. She noted that the ingredients for advisory board success include that they:

- Represent a broad range of community interests,
- Have good working relationships with the federal agency,
- Participate in site decisions,
- Keep the community informed about the board’s activities, and
- Provide opportunities for community participation at meetings.

The DOE Environmental Management (EM) Site-Specific Advisory Board (SSAB) was created to involve stakeholders more directly in DOE EM cleanup decisions. The EM SSAB has eight local boards:

- Hanford Advisory Board
- Paducah Citizens Advisory Board (CAB)
- Portsmouth SSAB
- Northern New Mexico CAB
- Oak Ridge SSAB
- Savannah River Site CAB
- Idaho Cleanup Project CAB.

Advisory boards do not replace community involvement. The Lead Agency is still expected to conduct community involvement activities with the greater public. EPA participates as a liaison at advisory board meetings to provide an EPA perspective and to hear the concerns of board members.

When a site is initially listed on the NPL, there is a 30-day public comment period required before the final listing. The complexity of a site indicates the types of activities that are appropriate. At a minimum, the Lead Agency would public notices in the *Federal Register*, hold a public comment period, prepare a summary of responses to public comments receives, and prepare a fact sheet or similar document. As the complexity of a site increases, a Lead Agency may also develop a communications strategy, use websites and social media for additional communication, conduct community interviews, and hold an open house, workshop, or webinar.

The three types of Removal Actions require different levels of community involvement. For an Emergency Response in which action is typically required within hours, there may not be enough time to issue an Action Memo. For Time-Critical Removal Actions (TCRA) in which action is required within six months, there is typically an approved Action Memo. For Non-Time-Critical Removal Actions (NTCRA), a planning period of more than six months is available. NTCRAs require an Engineering Evaluation/Cost Analysis (EE/CA) or its equivalent before an Action Memo is signed.

All Removal Actions require the designation of a Lead Agency spokesperson and establishment of an Administrative Record (AR). All time-critical responses with a planning period of less than six months also require a public comment period within 30 days of the AR file being made available to the public and response to significant comments which are included in the AR.

TCRAs that last more than 120 days must include community interviews, a community involvement plan, and an information repository. NTCRAs with a planning period of at least six months shall also include public notice of the availability of the EE/CA, a public comment period, and a responsiveness summary that is included in the AR.

The combination of requirements for the three types of Removal Actions in relationship to specific activities and time periods is summarized on page 23 of the EPA presentation (see link in the Attachment list at the end of this summary).

Community Involvement for Remedial Actions includes a number of activities that are required before Remedial Investigation (RI) field activities begins:

- Conduct community interviews
- Prepare a formal Community Involvement Plan (CIP)
- Establish a local information repository
- Establish an AR and make it available as part of the information repository
- Publish a public notice in a major local newspaper.

Public notices in newspapers are also required for proposed NPL listing, announcement of the availability of the AR and information repository location, availability and summary of the Proposed Plan, issuance of the Record of Decision, and issuance of an Explanation of Significant Differences (ESD). Other public notices may be made by distributing flyers, mailing notices, email notification, telephone calls, or posting on websites.

Similar to an NPL listing, the complexity of a site influences the types of community involvement activities that are appropriate for Remedial Actions. At a minimum, the Lead Agency would conduct community interviews, prepare a Community Involvement Plan, establish an information repository, establish the AR, distribute a fact sheet about the process, and create a website or other social media site. As the complexity of a site increases, the Lead Agency may also make presentations to community groups, offer site tours, set up a telephone hotline, work with a Community Advisory Group, and hold an open house, workshop, or webinar.

The community involvement requirements for a Proposed Plan and Record of Decision (ROD) are:

- Notice published in a newspaper
- Making the Proposed Plan and supporting documentation available to the public through the AR and information repository
- Provide a 30-day public comment period which may be extended
- Provide the opportunity for a public meeting during the public comment period which includes the preparation of a meeting transcript that is available to the public
- Prepare a Responsiveness Summary to include in the ROD
- Public a notice of availability of the ROD in a newspaper.

Similar to an NPL listing and Remedial Actions, the complexity of a site influences the types of community involvement activities that are appropriate for a Remedial Investigation/ Feasibility Study and ROD. At a minimum, the Lead Agency would prepare a Proposed Plan, hold a public meeting during a public comment period, prepare a Responsiveness Summary, issue a press release and distribute a flyer. As the complexity of the project increases, the Lead Agency may also make presentations to community groups, conduct focus groups, work with a Community Advisory Group, offer alternative dispute resolution services, and hold an open house, workshop, or webinar.

Community involvement may also be required when changes are needed after a ROD has been issued. Minor changes can be recorded in the project file. Significant changes are document through an Explanation of Significant Differences (ESD). An ESD and its supporting information should be made available in the AR and the information repository, as well as a notice published in a major local newspaper.

For fundamental changes, the ROD is amended. The community involvement requirements for a ROD amendment include holding a public comment period and the opportunity for a public meeting, preparing a written response to comments, and publishing a notice of availability of the amended ROD.

Five-Year Reviews also have a community involvement component. Local communities should be informed when five-year review documents are available because these reviews offer an opportunity to identify and address community concerns. More information on Five-Year Reviews may be found here: <https://www.epa.gov/fedfac/five-year-review-federal-facility-cleanups>.

### *Committee Discussion*

The question was asked whether Restoration Advisory Boards (RABs) fall under the jurisdiction of the Federal Advisory Committee Act (FACA). Emy Laija was not sure and agreed to find the answer and get back to the committee.

In response to questions about Five-Year Reviews, Emy explained that there are not many requirements for these reviews. For example, there is a requirement to do a Five-Year Review, but no requirement for a public comment period for such a review.

Ginger Wireman, Ecology, clarified that state requirements can be different than federal requirements. If a public meeting is not required, Ecology will consider having one if it is requested. State requirements for such meetings are formal and require audio recordings of these meetings. Emy added that if a group of people or several groups of people request a public meeting, EPA is inclined to hold one.

Shelley Cimon, Columbia RiverKeeper and HAB vice chair, clarified that the HAB process is that only the HAB chair can make a request for an extended public comment period on behalf of the HAB, not individual HAB members, issue managers, or committee chairs.

In response to questions about how the Public Information Officers (PIOs) work together under the TPA, Emy explained that the frequency of PIO meetings depends on how much is going on at any given time. Currently, they meet about once a week.

Concerning questions about agency responsiveness to comments, Emy said that there are many people involved in preparing those responses, including the EPA legal department. The TPA agencies work jointly on responses. Randy Bradbury, Ecology, added that they look carefully at each comment and response to every one of them. If Ecology believes that DOE is not being responsive, Ecology calls that out.

The PIC did not identify any follow-up action items from this presentation and discussion.

### **Open Forum**

The committee circled back to the proposal from the morning PIC discuss to develop advice on having meaningful public involvement on guiding documents like five and ten-year strategic plans for cleanup and the Central Plateau Cleanup Principles.

The suggestion was made to look at past HAB advice and values and how they may be relevant. The HAB values may be found here: [https://www.hanford.gov/files.cfm/HAB\\_ValuesWhitePaper\\_Attach.pdf](https://www.hanford.gov/files.cfm/HAB_ValuesWhitePaper_Attach.pdf)

Discussion about the desire to create an issue manager team to draft advice included the following concerns:

- The TPA Central Plateau Cleanup Principles should be put out for public comment because there was no discussion about it for a number of years.
- The HAB issued advice #283 in 2015 that objected to the Central Plateau Cleanup Principles.
- What were the in-between steps from 2015 and the HAB advice to the Central Plateau Cleanup Principles being incorporated into the TPA in 2020?
- The HAB River and Plateau (RAP) Committee also has an interest in the Central Plateau Cleanup Principles from a content perspective.

- We should discuss drafting advice on meaningful public involvement and comment on both the 10-year strategic cleanup plan and the Central Plateau Cleanup Principles. Guiding documents like that are more important for broad public involvement than another comment period on a permit modification.
- It seems like a natural time to have more general meetings about cleanup.

A number of PIC members commented and asked questions about the October email requesting a short-turnaround response to the EM 2021 Strategic Vision. Members wanted to know what visioning documents DOE is currently working on and when/how they will be shared with the public. Others asked about how DOE is planning on proceeding with the comments it received from individual HAB members and others. They were interested in what the comments were. Gary Younger, DOE, responded that he will get back to the committee with those answers.

PIC decided to create an Issue Manager (IM) team to work on public involvement on important documents that guide Hanford cleanup: Gerry Pollet (lead), Steve Anderson, Jeff Burright, Susan Leckband, Liz Mattson, and Amber Waldref.

Additional committee discussion focused on the operations of IM teams under FACA. Specifically, concerns were raised about whether or not a federal official must be present for all IM team conversations, even if it is an informal conversation about IM team topics between two HAB members who work in the same office. Other PIC members noted that subcommittees or working groups under a parent advisory committee or board are not subject to FACA because they are temporary in nature and any recommendations coming out of such a sub-group must be deliberated and acted upon by the parent full committee or board. Gary Younger asked that PIC members hold their questions on this topic until the FACA presentation at the full HAB meeting on December 10.

### **HAB Member Self Assessments**

Jeff Burright invited PIC members to share recent outreach stories. When nobody had a story to offer, the committee moved on to Committee Business.

### **Committee Business**

Ruth Nicholson, HAB facilitator reminded everyone that the full Board is holding elections for HAB chair, vice chair, and national liaison at the HAB meeting on December 9-10, 2020.

The group talked about the opportunity for public outreach through the online tour of Hanford that is currently being developed. Many thought the opportunity to tour Hanford virtually would be of benefit to HAB members as well.

The question came up about the ability to send hard copy mailings to HAB members of TPA agency presentations (in color) and the HAB orientation notebooks. Susan Leckband asked why that was not able to happen in response to requests made in November. Ginger Wireman indicated that she did not have the HAB contact and mailing address information to do the mailing. Gary Younger said he would send Susan Leckband the HAB contact information later that day.

The committee did not identify topics for the next meeting. Ruth Nicholson explained the use of the new committee work plans that are a combination of the old Three-Month Look Ahead and Topics Table (framing questions) documents. Liz Mattson, PIC vice chair, indicated that the committee had committee calls in both January and February to work on the March PIC agenda.

### **Attachments**

Attachment 1: [Meeting Agenda](#)

Attachment 2: [Tri-Party Agreement Agencies Public Involvement Calendar June-August 2020](#)

Attachment 3: [Community Involvement at Federal Facilities](#)

### **Attendees**

#### **Board Members and Alternates:**

Steve Anderson, Primary	Emmitt Jackson, Primary	Jeff Burright, Alternate
Shelley Cimon, Primary	Susan Leckband, Primary	Tom Sicilia, Alternate
Shannon Cram, Primary	Liz Mattson, Primary	Dan Strom, Alternate
Rob Davis, Primary	Gerry Pollet, Primary	Amber Waldref, Alternate
Tom Galioto, Primary	Dan Solitz, Primary	
Dori Gilmour, Primary	Steve Wiegman, Primary	

#### **Others:**

Gary Younger, DOE	Randy Bradbury, Ecology	Carol
	Daina McFadden, Ecology	Laura
	Ryan Miller, Ecology	Joan Lucas
	Ginger Wireman, Ecology	Tyler Oates
	Emy Laija, EPA	Lindsay Strasser, AttainX
		Jill Harvill, HPMC
		Stephanie Brasher, MSA
		Dana Cowley, MSA
		Coleen Drinkard, MSA
		Jasmine Martinez, ProSidian
		Ruth Nicholson, HAB facilitator

Note: Participants for this virtual meeting were asked to sign in with their name and affiliation in the CHAT box of GoToMeeting. Not all attendees shared this information. The attendance list reflects what information was collected at the meeting.